

III. REMARKS

Claims 1, 6, 11 and 24 are amended.

Claims 1, 2, 4, 5, 24-26 and 28-33 are patentable under 35 U.S.C. 102(e) over Pyotsia et al., U.S. Patent No. 6,879,940 ("Pyotsia"). Claim 1 recites that the remote network receives the second data without an identity of the predetermined equipment associated with the second data being known to the remote network. This feature of claim 1 is not disclosed or suggested by Pyotsia.

Pyotsia discloses remotely controlling, configuring or monitoring field devices with a general purpose mobile terminal (Col. 3, L. 6-10). In Pyotsia the user knows exactly which field device within the plant is being accessed. For example, referring to column 8, lines 30-65 Pyotsia discloses that the WWW server 23 or 33 is arranged to assist the selection of the desired field device by providing a hierarchic set of WWW pages representing the logical, functional or location architecture of the plant in a tree configuration. In Pytosia the user selects a desired plant 1, 2, 3, 4 from the WWW page shown in FIG. 4A and is then directed to a new WWW page where the user selects an area of the plant as shown in FIG. 4B. After the area of the plant is selected the user is presented with another new WWW page for selecting the desired tag from a list. After the desired tag is selected the user is presented with a WWW page of the desired field device. Pyotsia specifically recites that the tag is a unique code used for identification of each field device in the plant (Col. 8, L. 59-65).

Applicant's claim 1 calls for a transfer of data regarding a predetermined condition of predetermined equipment identified by the module, wherein the remote network receives the second data without an identity of the predetermined equipment associated with the second data being known to the remote network. As Pyotsia discloses that the user in Pyotsia knows exactly which field device is being controlled, Pyotsia cannot reasonably be considered as disclosing the above noted feature of Applicant's claim 1. Thus, claim 1 is patentable over Pyotsia.

Claims 2, 4, 5, and 33 depend from claim 1 and are patentable at least by reason of their respective dependencies.

Claim 24 recites an equipment diagnostic monitor system configured to allow a user of the remote network to remotely control a diagnostic test performed on predetermined equipment for monitoring a health of the predetermined equipment without an identity of the predetermined equipment being known to the user of the remote network. This feature is not disclosed or suggested by Pyotsia for reasons that are substantially similar to those described above with respect to claim 1. Thus, claim 24 is patentable.

Claims 25, 26 and 28-32 depend from claim 24 and are patentable at least by reason of their respective dependencies.

Further, claim 30 recites that the local network is configured to receive and display a suggestion from the user on the remote network regarding the operation of the equipment being monitored on the local network. Nowhere is this feature disclosed or suggested in Pyotsia. The Examiner refers to column 6, line 63 through column 7, line 67 of Pyotsia as disclosing this feature, however all that this cited portion of Pyotsia discloses is the

translation of data from one protocol to another and the creation of interactive WWW pages and nothing more. All that is disclosed in Pyotsia is the control of a field device through in interactive WWW page displayed on the mobile terminal. There is no disclosure anywhere in Pyotsia "that the local network is configured to receive and display a suggestion from the user on the remote network regarding the operation of the equipment being monitored on the local network."

Claims 6, 7, 9-13, 15-19 and 34 are patentable under 35 U.S.C. 103(a) over Pyotsia. Claim 6 calls for the module being configured to allow one of the plurality of users to select at least one equipment diagnostic monitor systems from a plurality of equipment diagnostic monitoring systems. This feature is not disclosed or suggested in Pyotsia. Pyotsia merely discloses a single diagnostic system 21 comprising a management and control software for the field devices and nothing more (Col. 5, L. 19-29; FIG. 2). Nowhere does Pyotsia disclose or suggest allowing one of the plurality of users to select at least one equipment diagnostic monitor systems from a plurality of equipment diagnostic monitoring systems as called for in Applicant's claim 6.

Further, claim 6 recites that the module is configured to convey test data related to the plurality of equipment, to users on the remote network, without an identity of the plurality of equipment being known to the remote network. This feature is not disclosed or suggested by Pyotsia for reasons substantially similar to those describe above with respect to claims 1 and 24.

Thus, claim 6 is patentable. Claims 7, 9, 10 and 34 depend from claim 6 are patentable at least by reason of their respective dependencies.

Claim 11 recites that the remote network receives the second data without an identity of the predetermined equipment associated with the second data being known to the remote network. This feature is not disclosed or suggested by Pyotsia for reasons substantially similar to those described above with respect to claims 1 and 24. Thus, claim 11 is patentable. Claims 12, 13 and 15-19 depend from claim 11 and are patentable at least by reason of their respective dependencies.

Further, claim 17 recites the user on the remote network sends a suggestion regarding an operation of the at least one item being monitored to an entity managing the at least one item on the local network. This feature is not disclosed or suggested by Pyotsia for reasons that are substantially similar to those described above with respect to claim 30. Thus, claim 17 is patentable.

Claim 19 recites a remote control proxy server in the intermediate network that is between the local network and the remote network that prevents direct IP routing of a device in the local network that is being accessed by the remote network. This feature is not disclosed or suggested in Pyotsia. All that is disclosed in Pyotsia is that the "WAP inherently provides a connection security between the MT and the WWW server 33." The system in Pyotsia has only to assure that the user is an authorized user. (Col. 7, L. 22-30). Thus, all Pyotsia provides for is the authentication of the user and nothing more. The mere provision of "connection security" in Pyotsia in no way discloses or suggests "preventing direct IP routing" as recited in Applicant's claim 19. Thus, claim 19 is patentable.

Claims 3, 8, 14 and 27 are patentable under 35 U.S.C. 103(a) over Pyotsia and Reid et al., U.S. Patent No. 6,182,226 ("Reid").

Claims 3, 8, 14 and 27 ultimately depend from claims 1, 6, 11 and 24 respectively. It is respectfully submitted that because Pyotsia fails to disclose or suggest all the features of claims 1, 6, 11 and 24 that the combination of Pyotsia and Reid cannot as well. Therefore, claims 3, 8, 14 and 27 are patentable at least by reason of their respective dependencies.

Further, Pyotsia and Reid have not been properly combined. It is submitted that if Pyotsia were modified by Reid, Pyotsia would no longer be fit for its intended purpose. The Examiner is respectfully reminded that "if proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984)" (see MPEP §2143.01). The purpose of Pyotsia is to allow a user to remotely control, configure or monitor field devices of a plant (Col. 3, L. 15-17). The field devices are accessed by their specific locations within the plant using hierarchic level tags (see e.g. Col. 8, L. 43-65). Modifying Pyotsia with the redirects or address rewrites of Reid (see Col. 6, L. 45-56 of Reid) to alias the specifically located field devices would render the user completely unable to select the appropriate field device.

The Examiner is also reminded that "if the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious. *In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959)" (see MPEP §2143.01). It is submitted that modifying Pyotsia with Reid would change the principle operation of Pyotsia for reasons substantially similar to those described

above. In particular, such a modification would render the user completely unable to select the appropriate field device using the hierarchic level tags.

Claims 20-23, 35, and 36 are patentable under 35 U.S.C. 103(a) over Pyotsia and Crist et al., U.S. Patent No. 6,879,940 ("Crist"). Claims 20-23 and 36 depend from claim 11 and claim 35 depends from claim 1. It is submitted that because Pyotsia fails to disclose or suggest all the features of claims 1 and 11 that the combination of Pyotsia and Crist cannot as well. Therefore, claims 20-23, 35, and 36 are patentable at least by reason of their respective dependencies.

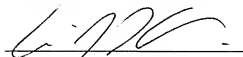
Further, claim 21 recites that the intermediate network further comprises an equipment diagnostic monitor system that monitors and analyses the semiconductor tool. Neither Pyotsia nor Crist discloses testing a semiconductor tool as recited by Applicant. It is asserted in the Office Action that Crist discloses monitoring and analyzing a semiconductor tool however Crist merely discloses nothing more than the remote testing of integrated circuits and not the tools used to make the semiconductors (Col. 4, L. 48-51). The test system (8) in Crist is itself "a machine or machines and any associated ancillary equipment used in semiconductor circuit testing" (Col. 4, L. 27-29). Thus, claim 21 is patentable. This argument applies equally to claim 35.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should

any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,


William J. Knotts, Jr.
Reg. No. 53,145

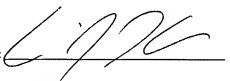
December 19, 2008
Date

Perman & Green, LLP
425 Post Road
Fairfield, CT 06824
(203) 259-1800
Customer No.: 2512

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date indicated below as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: December 19, 2008

Signature: 
WILLIAM J. KNOTTS, JR.